



EXPEDITED PROCEDURE - EXAMINING GROUP 2815

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leonard Forbes et al.

Examiner: Allan R. Wilson

Serial No.: 10/789,203

Group Art Unit: 2815

Filed: February 27, 2004

Docket No.: 303.356US4

Title: OPERATING A MEMORY DEVICE

RESPONSE UNDER 37 C.F.R. 1.116

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REMARKS

This responds to the Office Action mailed on July 11, 2005.

No claims are amended, no claims are canceled, and no claims are added; as a result, claims 1-59 are now pending in this application. Applicant respectfully requests reconsideration of the above-identified application in view of the remarks that follow.

§102 Rejection of the Claims

Claims 1, 3-5, 11, 12, 14-16, 18, 19, 21, 22, 24, 25, 28, 30, 31, 33, 34, 36, 52, and 54-56 were rejected under 35 U.S.C. § 102(b) as being anticipation by Lohstroh et al. (U.S. 4,019,197). Applicant traverses these grounds for rejection of these claims.

Applicant cannot find in Lohstroh et al. (hereafter Lohstroh) a disclosure, a teaching, or a suggestion of a storage electrode having an electron affinity less than 3.7 eV as recited in claim 1. In the Office Action, it is stated that "Lohstroh illustrates ... a floating gate (storage electrode) 4 of aluminum, which has an electron affinity of about 2.8 eV*." In the Office Action, it is further stated that "*[t]he value of the electron affinity of aluminum is based on 'UPS of Negative Aluminum Clusters' by Taylor et al." Applicant respectfully disagrees with this analysis in the Office Action. Taylor relates to studies of negative aluminum clusters, in which Taylor discusses an electron affinity for aluminum clusters having at most 32 aluminum atoms. The electron affinity of 2.8 eV is associated with clusters of 26 electron atoms, 28 electron atoms, 30 electron atoms, and 31 electron atoms. See *Table 1 of Taylor*. Further, Figure